

JOURNAL OF THE HOUSE.

Wednesday, January 15, 2014.

Met at seven minutes after one o'clock P.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Silent Prayers.

Sean
and Lexi
Munroe.

During the session (Mrs. Haddad of Somerset being in the Chair), the members, guests and employees stood for a moment of silent tribute in memory of 7-year-old Sean Munroe and 8-year-old Lexi Munroe, who died Sunday in a tragic accident in Franklin. Lexi and Sean were students at the David Thayer Elementary School in Franklin. The family and community are mourning their loss.

Sam
Berns.

During the session (Mrs. Haddad of Somerset being in the Chair), the members, guests and employees stood for a moment of silent tribute in memory of Sam Berns, an extraordinary young man who didn't let his disease define him. A Foxborough resident, Sam suffered from Progeria — a genetic disease that causes rapid aging in children. Sam touched many lives in just 17 years and will be greatly missed, but his spirit and mission will live on through the Progeria Research Foundation.

Valedictory Address.

Valedictory
address.

The Speaker being in the Chair,—

During the session, there being no objection, Ms. Reinstein of Revere addressed the House regarding her pending departure from service in the House of Representatives.

Present in the House Chamber for this auspicious occasion were several guests of Representative Reinstein, including her husband, her mother and former Representative and current Registrar of Motor Vehicles, Rachael Kaprielian.

Statement Concerning Representative Naughton of Clinton.

Statement
concerning
Mr. Naughton
of Clinton.

A statement of Mrs. Haddad of Somerset concerning Mr. Naughton of Clinton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Naughton of Clinton, is unable to be present in the House Chamber for today's sitting due to being on active duty with the Army Reserves. His missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Story of Amherst.

A statement of Mrs. Haddad of Somerset concerning Mr. Story of Amherst was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Story of Amherst, is unable to be present in the House Chamber for today's sitting due to an unexpected family commitment. Her missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Ms. Story
of Amherst.

Guests of the House.

During the session, Ms. Peake of Provincetown took the Chair, declared a brief recess, and introduced Lukas Hernandez and Catherine Van Buren of the Provincetown Art Association and Museum's Art Reach Program. They were the recipients of the National Art Humanities Youth Program Award. They were the guests of Representative Peake.

Lukas
Hernandez
and Catherine
Van Buren.

Resolutions.

Mrs. Haddad of Somerset being in the Chair,—

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Boldyga of Southwick) congratulating Chief Robert D. Campbell on the occasion of his retirement from the Agawam Police Department; and

Robert D.
Campbell.

Resolutions (filed by Miss Garry of Dracut) recognizing the week of February 7 through 14, 2014 as Congenital Heart Defect Awareness Month;

Congenital
Heart Defect
Awareness
Month.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Markey of Dartmouth, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Health Policy Commission (see Section 8(g) of Chapter 240 of the General Laws) submitting its 2013 Cost Trends Report; and

Health Policy
Commission.

From the Office of Performance Management and Oversight (see Section 4 of Chapter 240 of the Acts of 2010) submitting its annual report for fiscal year 2013 and the electronic annual reports of agencies under the said office.

Performance
Management
and
Oversight.

Severally were placed on file.

Special Report.

A special report from the Massachusetts District Attorneys Association (pursuant to line item 0340-2100 of Section 2 Chapter 38 of the Acts of 2013) submitting its special report detailing the total number and use of private attorneys participating in any volunteer prosecutor programs, was placed on file.

District
Attorneys
Association,—
volunteers.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Galvin of Canton, a petition (subject to Joint Rule 12) of William C. Galvin relative to reassigning low digit number plates to private passenger vehicles.

License
plates,—
low numbers.

Court officers
and sheriffs,—
benefits.

By Mr. Kafka of Stoughton, a petition (subject to Joint Rule 12) of Louis L. Kafka and James E. Timilty relative to benefits for court officers and county sheriff office employees.

Paul Scott
Noe,—
benefits.

By the same member, a petition (subject to Joint Rule 12) of Louis L. Kafka and James E. Timilty for legislation to authorize Paul Scott Noe, an employee of the Trial Court, to transfer his vacation benefits accrued during his time in the Norfolk County Sheriff's Department.

Career
pathways
trust fund.

By Mr. Sannicandro of Ashland, a petition (subject to Joint Rule 12) of Tom Sannicandro for legislation to create a transitional aid to families with dependent children career pathways trust fund.

Severally, under Rule 24, to the committee on Rules.

Recesses.

Recesses.

At eight minutes after one o'clock P.M., on motion of Mr. Peterson of Grafton, (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before two o'clock; and at eighteen minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

The House thereupon, on motion of Mr. Peterson of Grafton, recessed until a quarter after three o'clock; and at that time the House was called to order with Mrs. Haddad of Somerset in the Chair.

Papers from the Senate.

Denise
MacKinnon,—
sick leave.

A Bill establishing a sick leave bank for Denise McKinnon [sic], an employee of the Massachusetts Hospital School (Senate, No. 1973) (on Senate bill No. 1955), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Amherst,—
land.

A Bill authorizing the commissioner of Capital Asset Management and Maintenance to grant easements over certain parcels of land to the town of Amherst (Senate, No. 1531, amended in section 1, in line 1, by striking out the following: "40E to 40J, inclusive, of chapter 7" and inserting in place thereof the following: "32 to 38, inclusive, of chapter 7c"; and in section 2, in lines 11 and 12, by striking out the following: "upon acceptance of Olympia Drive as a public way, repair and maintain said public way" and inserting in place thereof the words "repair and maintain Olympia drive") (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Seafood
marketing.

Petition (accompanied by bill, Senate, No. 1979) of Bruce E. Tarr, James M. Cantwell, Matthew A. Beaton, Antonio F. D. Cabral and other members of the General Court for legislation to establish a Massachusetts Seafood Marketing Program; and

Petition (accompanied by bill, Senate, No. 1978) of Bruce E. Tarr and James R. Miceli for legislation relative to the Middlesex Canal Commission;

Middlesex
Canal
Commission.

Severally to the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, Senate, No. 1977) of Anthony W. Petrucci for legislation relative to Medicaid. To the committee on Financial Services.

Medicaid.

Petition (accompanied by bill, Senate, No. 1976) of Jonathan Ring for legislation relative to tobacco cessation. To the committee on Public Health.

Tobacco
cessation.

Petition (accompanied by bill, Senate, No. 1980) of Diana Manning for legislation relative to income tax applicable to Diana Manning. To the committee on Revenue.

Diana
Manning,—
income tax.

Reports

Of the District Attorney of Berkshire County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013;

Berkshire
County,—
wiretaps.

Of the District Attorney of Bristol County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013;

Bristol
County,—
wiretaps.

Of the District Attorney of Hampden County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013;

Hampden
County,—
wiretaps.

Of the District Attorney of Plymouth County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013;

Plymouth
County,—
wiretaps.

Of the District Attorney of Suffolk County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013; and

Suffolk
County,—
wiretaps.

Of the District Attorney of Worcester County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013;

Worcester
County,—
wiretaps.

Severally were spread upon the records of the House; and returned to the Senate.

Report of a Committee.

By Ms. Peisch of Wellesley, for the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 369) of Paul J. Donato relative to the sterilization of musical instruments in schools,— and recommending that the same be referred to the committee on Public Health. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Musical
instruments,—
sterilization.

Emergency Measures.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Belmont for recreation, public works or other municipal purposes (see House, No. 2869, changed and amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Belmont,—
land.

Belmont,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 40 to 0. Sent to the Senate for concurrence.

Northampton,—
land.

The engrossed Bill relative to the conveyance of an easement in the city of Northampton (see House, No. 2845, changed and amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 46 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bill
enacted.

The engrossed Bill relative to the special city election in the city of Beverly (see House bill printed in House, No. 3850) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed bills

Exempting certain real property owned by certain veterans organizations in the city of Gardner from taxation (see House, No. 3445);

Relative to membership in the Governor's Highway Safety Committee (see House, No. 3787); and

Amending the special legislation establishing the Acton Community Housing Corporation (see House, No. 3833);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Portable
electronic
insurance.

The Senate amendments of the House Bill relative to portable electronic insurance (House, No. 3541, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Third
reading
bill.

The House Bill authorizing the Plymouth County Contributory Retirement System to issue pension funding bonds or notes (House, No. 3377), reported by the committee on bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Second
reading
bills.

Senate bills

Ensuring the safety of people with pets in disasters (Senate, No. 1172, amended);

Establishing the Scusset Beach state reservation trust fund and imposing a surcharge on certain fees charged for the use of Scusset Beach (Senate, No. 1395); and

Relative to newborn pulse oximetry screenings for congenital heart defects (Senate, No. 1919, amended); and

The House Bill amending the preparation of certain ballots in the city of Boston (House, No. 616);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 891), was read a second time.

Second reading
bill amended.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Section 54 of chapter 44 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Trust funds, including cemetery perpetual care funds, unless otherwise provided or directed by the donor thereof, shall be deposited in a trust company, co-operative bank or savings bank, if such bank or trust company is organized or exists under the laws of the commonwealth or any other state of the United States or is otherwise authorized to transact business in the commonwealth and has its main office or a branch office in the commonwealth; a national bank, federal savings bank, or federal savings and loan association, if such bank or association is authorized to transact business and has its main office or a branch office in the commonwealth; provided that any such state-chartered or federally chartered bank shall be insured by the Federal Deposit Insurance Corporation or its successor; or invested by cities and towns in participation units in a combined investment fund under section 38A of chapter 29, or in bonds or notes which are legal investments for savings banks.”,— was adopted.

The bill (House, No. 891, amended) then was ordered to a third reading.

The House Bill to regulate real estate appraisal management companies (House, No. 992), was read a second time.

Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3849),— was adopted.

The substituted bill then was ordered to a third reading.

The House Bill promoting municipal collaboration and regionalization throughout the Commonwealth (House, No. 3822) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Municipal
collaboration.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Kaufman of Lexington; and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed—
yea and nay
No. 280.

[See Yea and Nay No. 280 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Boston
Strong,—
registration
plate.

The House Bill relative to a Massachusetts Boston Strong license plate (House, No. 3664), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended in section 1, in line 1, by inserting before the word “Official” the year “2012”,— was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Straus of Mattapoisett, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Bill passed to
be engrossed,—
yea and nay
No. 281.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 281 in Supplement.]

Therefore the bill (House, No. 3664, amended) then was passed to be engrossed. Sent to the Senate for concurrence.

Order.

The Speaker being in the Chair,—

On motion of Mr. Mariano of Quincy,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Mr. Rushing of Boston then moved that when the House adjourn, it do so in respect to the memory of Robert H. Quinn, a member of the House from Boston from 1957 to 1969, inclusive, serving as Speaker of the House in 1967, 1968 and 1969 and Attorney General from 1969 to 1975, inclusive; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at eight minutes before five o'clock P.M., on motion of Mr. Timilty of Milton (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.